

Remarks

Claim 1 is amended to clarify the elements of the claim as to read on the device initiating the internet voice call. Support for this claim is found in the specification on page 6, line 1 to page 7, line 25, Fig. 2, and in other places.

Claim 2 is amended in the manner suggested by the Examiner.

Claim 3 is amended to clarify the elements of the claim as to read on the device initiating the IP voice call. Support for this claim is found in the specification on page 6, line 1 to page 7, line 25, Fig. 2, and in other places.

Claim 7 is added to claim the caller ID information as being associated with the device initiating said method. Support for this claim is found in the specification on page 8, line 24 to page 9, line 10, and in other places.

Claim 8 is added to specify the device implemented in the claimed method. Support for this claim is found on page 5, lines 20-29, Fig. 1, and in other places.

Claim 9 is added as to claim that the caller ID information is type 1 caller ID information. Support for this claim is found in the specification on page 8, line 24 to page 9, line 10, and in other places.

Claim 10 is added to claim the caller ID information as being associated with the device initiating said method. Support for this claim is found in the specification on page 8, line 24 to page 9, line 10, and in other places.

Claim 11 is added to specify the device implemented in the claimed method. Support for this claim is found on page 5, lines 20-29, Fig. 1, and in other places.

Claim 12 is added as to claim that the caller ID information is type 1 caller ID information. Support for this claim is found in the specification on page 8, line 24 to page 9, line 10, and in other places.

No new matter was added in view of these amendments.

I. 35 U.S.C. 102 Rejection of Claims 1 to 5

The Examiner rejected claims 1 to 5 under 35 U.S.C. 102(e) as being anticipated by Oyama et al. (U.S. Patent # 6,108,329, hereafter referred to as 'Oyama'). Applicants disagree with this ground of rejection.

Claim 1 claims the following elements:

"determining whether the called device is already connected to the internet" and

"initiating a PSTN telephone call with associated caller ID information to the called device, if the called device is not already connected to the internet".

These claimed steps are neither disclosed nor suggested in Oyama.

The Examiner in the Rejection states that such claimed steps are implicated assumed in the Oyama reference. Specifically, the Examiner writes, "The server S21 of the computer network NET21 dials the telephone number of the terminal T21 obtained from the database DB21 to call up the terminal T21. Herein, the server S21 already determined that the terminal T21 is off-line." (Office Action, page 3, emphasis added).

The Oyama reference however does not disclose or suggest this assumption of the Examiner. Specifically, there is no disclosure or suggestion where S21 would "determine whether the called device is already connected to the internet" and were S21 would initiate "a PSTN telephone call with associated caller ID information to the called device, if the called device is not already connected to the internet," (emphasis added).

The Oyama reference does disclose that, "server S21 of the computer NET21 containing the destination terminal searches into the data base DB21 to find out information on terminal T21. The telephone number of the terminal T21 for PPP connection can be known from information of the data base DB21," (Oyama, col. 6, line 66 to col. 7, line 3). The information in DB21 (or for S21) does not disclose information "whether the called device is already connected to the Internet".

For Claims 3 and 5, the Oyama does not disclose whether the called device is already connected to a network or the internet, for the same reasons given above for Claim 1.

New Claims 8 and 11 claim that the caller ID information is associated with the server that initiates said method. The use of caller ID information, with a server, is not disclosed or suggested in the Oyama reference. Specifically, Oyama states that, "information on the source terminal is compared with call rejection information that is registered previously to know whether the source terminal should be rejected or not (step ST24)," (Oyama, col. 9, lines 9-11).

Similarly, Oyama states that "information on source terminals to be stored may include names of the source terminals, countries of the source terminals, dates, and times of dispatch, dates, and times of arrival, and so forth," (Oyama, col. 9, lines 41-44). As noted in the patent (and the claim language of Claims 8 and 11), there is a difference between a source terminal and a server.

For new Claims 9 and 12, Oyama does not disclose or suggest that the caller ID information is Type I caller ID information. The type of caller ID information divulged in the Oyama reference is disclosed on col. 9, lines 41-44, where, "information on source terminals to stored may include names of the source terminals, countries of the source terminals, dates, and times of dispatch, dates and times of arrival." Type I caller ID information is a specific type of information that is associated with PSTN phone calls.

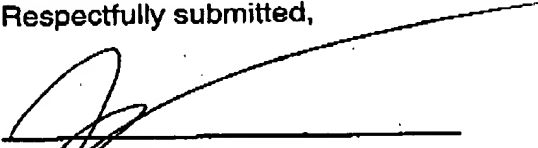
For the reasons given above, independent Claims 1, 3, and 5, are believed to be patentable. Applicants request the Examiner remove the rejection to these claims. Additionally, Claims 2 and 4 are deemed to be patentable, as such claims depend on independent Claims 1 and 3, respectively. Applicants request the Examiner remove the rejection to these claims, as well.

Applicants also request that the Examiner enter in and allow new Claims 7-12.

Applicants are requesting a two-month extension to file this response. A fee for \$450.00 for this extension is to be charged to Deposit Account 07-0832. Any other fees owed in connection with this action are to be charged to this deposit account, as well.

If any other issues are to be raised concerning the patentability of the status of this application, the Examiner is encouraged to call the Applicants' attorney at 609-734-6809.

Respectfully submitted,


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